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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/446,320	02/24/2000	WOLFGANG JANTZEN	LI-71472	2152

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EXAMINER

ABELSON, RONALD B

ART UNIT PAPER NUMBER

2666

DATE MAILED: 09/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

*Am*

**Office Action Summary**

Application No.

09/446,320

Applicant(s)

JANTZEN, WOLFGANG

Examiner

Ronald Abelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-9 and 12-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-5, 9, and 12 - 14 is/are rejected.
- 7) ☒ Claim(s) 6-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Specification***

1. The abstract of the disclosure is objected to because page 3 lines 21-24 refers to claim numbers which is not proper. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 2-5, 9, and 12 - 14 rejected under 35 U.S.C. 102(b) as being anticipated by Kupersmith (US 5,387,769).

Regarding claims 12 and 13, Kupersmith teaches a method and apparatus for a redundant serial bus having  $n > 1$  parallel bus lines for redundant networking (fig. 2: Group bus 1,2, Car bus 1,2) each having a single bus communications interface (fig. 2 box 7, 10, col. 4 lines 4-9).

The system comprises a redundancy means, which can be connected upstream, having  $n$  interfaces for connecting to the  $n$  parallel bus lines (fig. 2, see connections to Group bus 2, Car

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bus 2) and one interface for connection to the single bus communications interface of at least one subscriber (fig. 2 see connection to box 10).

The redundancy means having a receiving end comprising an input stage at least for each of the bus lines (fig. 2 box 7, 10, col. 4 lines 4-9), an evaluation stage (fig. 9) and an output stage (direct a message, message is sent, fig. 9, col. col. 7 lines 6-35).

The evaluation stage has a means for determining criteria of a data stream other than the presence or absence of data for a period of time and for selecting one of the bus lines as the receiving line based on the criteria (col. 9 lines 16-18, 21-23).

The redundancy means can be connected upstream having a transmitting end comprising a driver for each of the (fig. 1 box 6, col. 3 lines 59-62).

Regarding claim 13, in addition to the limitations previously listed: the limitations: sending during operation, identical messages in parallel simultaneously to all of the bus lines (col. 7 lines 18-19), receiving (col. 7 lines 18-19), checking (fig. 10c box 140, col. 11 lines 7-15), and selecting

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are preformed by the mux (fig. 10c box 146, col. 11 lines 16-18).

Regarding claim 2, the input stage has a means for synchronization and filtering (fig. 14, col. 10 line 61 - col. 11 line 6).

Regarding claim 3, the input stage has means for serial/parallel conversion (fig. 2 information traveling from box 7 through 102 to car buses 1&2, col. 3 lines 49-52).

Regarding claim 4, the input stage has means for parallel/serial conversion (fig. 2 see connection from car buses 1&2 through box 102 to box 10, col. 4 lines 8-10).

Regarding claim 5, the evaluation stage has a means for time evaluation (RXCLK, col. 11 lines 22-30), for assessment of the state of the receiving lines (MANC, CRC, col. 11 lines 7-15), and for line selection (col. 11 lines 37-43).

Regarding claims 9 and 14, a diagnosis interface for connection of control lines for connection control (MANC, CRC, col. 11 lines 7-15).

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***Allowable Subject Matter***

4. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter.

Regarding claims 6 and 7, nothing in the prior art of the record teaches or fairly suggests the redundancy means can be permanently set to one bus line, in combination with all the other limitations listed in the claim.

Regarding claim 8, nothing in the prior art of the record teaches or fairly suggests muting the output driver, in combination with all the other limitations listed in the claim.

***Response to Arguments***

6. Applicant's arguments with respect to amended independent claims 12 and 13 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be

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reached on (703) 308-5463. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

*RA*  
Ronald Abelson  
Examiner  
Art Unit 2666

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*Seema S. Rao*  
**SEEMA S. RAO** 9/8/03  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**